

STATE PERSONNEL BOARD CALENDAR



APRIL 20, 2004

SACRAMENTO, CALIFORNIA

State of California

Memorandum

DATE: April 9, 2004

TO: ALL INTERESTED PARTIES

FROM: STATE PERSONNEL BOARD -- Appeals Division

SUBJECT: Notice and Agenda for the April 20, 2004 meeting of the State Personnel Board.

PLEASE TAKE NOTICE that on April 20, 2004, at the offices of the State Personnel Board, located at 801 Capitol Mall, Room 150, Sacramento, California, the State Personnel Board will hold its regularly scheduled meeting.

The attached Agenda provides a brief description of each item to be considered and lists the date and approximate time for discussion of the item.

Also noted is whether the item will be considered in closed or public session. Closed sessions are closed to members of the public. All discussions held in public sessions are open to those interested in attending. Interested members of the public who wish to address the Board on a public session item may request the opportunity to do so.

Should you wish to obtain a copy of any of the items considered in the public sessions for the April 20, 2004, meeting, please contact staff in the Secretariat's Office, State Personnel Board, 801 Capitol Mall, MS 22, Sacramento, CA 95814 or by calling (916) 653-0429 or TDD (916) 654-2360, or the Internet at:

<http://www.spb.ca.gov/calendar.htm>

Notice and Agenda
Page 2
April 9, 2004

Should you have any questions regarding this Notice and Agenda, please contact staff in the Secretariat's Office at the address or telephone numbers above.

TAMARA LACEY
Secretariat's Office

Attachment

CALIFORNIA STATE PERSONNEL BOARD MEETING*
801 Capitol Mall
Sacramento, California

Public Session Location - Room 150

Closed Session Location - Room 141

MID-MONTH MEETING AGENDA**

APRIL 20, 2004

PUBLIC SESSION OF THE STATE PERSONNEL BOARD

9:00 - 9:30

1. ROLL CALL

2. REPORT OF THE EXECUTIVE OFFICER

Report of Laura Aguilera
Interim Executive Officer
State Personnel Board

3. REPORT OF THE CHIEF COUNSEL

4. NEW BUSINESS

(Items may be raised by Board Members for
scheduling and discussion at future meet-
ings.)

5. REPORT ON LEGISLATION

* Sign Language Interpreter will be provided for Board Meeting
upon request - contact Secretariat at (916) 653-0429, or CALNET
453-0429, TDD (916) 654-2360.

** The Agenda for the Board can be obtained at the following
Internet address: <http://www.spb.ca.gov/calendar.htm>

CLOSED SESSION OF THE STATE PERSONNEL BOARD

9:30

6. DELIBERATION ON ADVERSE ACTION, DISCRIMINATION COMPLAINT, AND OTHER PROPOSED DECISIONS SUBMITTED BY ADMINISTRATIVE LAW JUDGES
Deliberations on matter submitted at prior hearing, on proposed decisions, petitions for rehearing, rejected decisions, remanded decisions, submitted decisions, and other matters related to cases heard by administrative law judges of the State Personnel Board or by the Board itself.
[Government Code Sections 11126 (d), and 18653 (2).]

7. PENDING LITIGATION
Conference with legal counsel to confer with and receive advice regarding pending litigation when discussion in open session would be prejudicial. [Government Code Sections 11126 (e) (1), 18653.]

State Personnel Board (SPB) v. Department of
Personnel Administration (DPA)/
International Union of Operating Engineers
(IUOE et al. Sacramento County Superior
Court Case No. 01CS00109

Association of California State Attorneys
and Administrative Law Judges v.
DPA/California Department of Forestry
Employees Association (ASKA) CDF
Firefighters Court of Appeal, Third district
No. C034943
Sacramento County Superior Court No.
99CS03314)

IUOE v. SPB/Public Employee Relations Board
(PERB)
Unfair Practice Case No. SA-CE-1295-S

Connerly v. SPB

Agenda - Page 3
April 20, 2004

8. RECOMMENDATIONS TO THE LEGISLATURE
Deliberations on recommendations to the
Legislature. [Government Code Section 18653.]
9. RECOMMENDATIONS TO THE GOVERNOR
Deliberations on recommendations to the
Governor. [Government Code Section 18653.]

PUBLIC SESSION OF THE STATE PERSONNEL BOARD

On Adjournment:

10. DISCUSSION OF COMING BOARD MEETING SCHEDULE
OF MAY 4-5, 2004 IN SACRAMENTO, CALIFORNIA

BOARD ACTIONS

11. ADOPTION OF THE STATE PERSONNEL BOARD SUMMARY
MINUTES OF APRIL 6, 2004
12. ACTION ON SUBMITTED ITEMS
(See Agenda Page 20)
These items have been taken under submission by
the State Personnel Board at a prior meeting and
may be before the Board for a vote at this
meeting. This list does not include evidentiary
cases, as those cases are listed separately by
category on this agenda under Evidentiary Cases.
13. EVIDENTIARY CASES
The Board Administrative Law Judges conducts
Evidentiary hearings in appeals that include,
but are not limited to, adverse actions, medical
terminations, demotions, discrimination,
reasonable accommodations, and whistleblower
complaints.

A. BOARD CASES SUBMITTED

These cases have been taken under submission by the State Personnel Board at a prior meeting and may be before the Board for a vote at this meeting.

DORYANNA ANDERSON-JOHNSON, CASE NO. 00-1687A
Appeal from denial of reasonable accommodation
Correctional Lieutenant
California Rehabilitation Center - Norco
Department of Corrections

TIMOTHY BOBITT, CASE NO. 02-2856
Appeal from suspension
Senior Special Agent in Charge
Department of Justice at Sacramento

RICHARD COELHO, CASE NO. 02-1796R
Appeal from constructive medical termination
Fish and Game Warden
Department of Fish and Game

RANDALL DODSON, Case No. 03-1587
Appeal from non-punitive termination
Caltrans Equipment Operator I
Department of Transportation

FRANK GARCIA, CASE NO. 03-1906
Appeal from Dismissal
Caltrans Highway Maintenance Worker
Department of Transportation

CYNTHIA GEORGE, CASE NO. 03-2494
Appeal from suspension
Administrative Law Judge I
Unemployment Insurance Appeals Board

THEODORE HUGHING, CASE NO. 03-0354
Appeal from Medical Termination
Food Service Supervisor I
Department of Developmental Services

MAMIE JONES, CASE NO. 02-4441
Appeal from ten-percent reduction in salary for five months
Dispatcher Clerk with the
Department of Transportation

NEIL MADDEN, CASE NO. 03-1682
Appeal from five percent reduction in salary
for three months
Correctional Officer
Centinela State Prison - Imperial

ALICE VAN-THU, CASE NO. 03-1150A
Appeal from automatic resignation
Administrative Support Coordinator I
California State University - Monterey Bay

BEVERLY WILSON, CASE NO. 03-1150A
Appeal from dismissal
Administrative Support Assistant II
California State University - Carson

B. CASES PENDING

- Oral Arguments
These cases are on calendar to be argued at this meeting or to be considered by the Board in closed session based on written arguments submitted by the parties.

NONE

C. CHIEF COUNSEL RESOLUTIONS

- Court Remands
These cases have been remanded to the Board by the court for further Board action.

NONE

- Stipulations
These stipulations have been submitted to the Board for Board approval, pursuant to Government Code, section 18681.

NONE

D. ADMINISTRATIVE LAW JUDGE'S (ALJ) PROPOSED DECISIONS

- Proposed Decisions
These are ALJ proposed decisions
submitted to the Board for the first
time.

MAUREEN ALVAREZ, CASE NO. 02-3571
Appeal from dismissal
Drafting Services Aid
Department of Transportation

ANDREA BLOUNT, CASE NO. 03-1980
Appeal from dismissal
Food Service Technician II
Department of Mental Health

HARMEET BRAR, CASE NO. 02-3640
Appeal from dismissal
Senior Psychiatric Technician (Safety)
Department of Mental Health

JOHN CARTIER, CASE NO. 03-1588
Appeal from dismissal
Correctional Officer
High Desert State Prison - Susanville
Department of Corrections

RICHARD LEWIS COLLINS, CASE NO. 02-2306
Appeal from dismissal
Assistant Safety Engineer
Department of Industrial Relations

JAIME CORVERA - SPB CASE NO. 03-2402
Appeal from Official Reprimand
Accounting Administrator II
California Men's Colony - San Luis Obispo
Department of Corrections

KENNETH CROWLEY, CASE NO. 01-1264
Appeal from dismissal
Correctional Officer
California State Prison - Solano
Department of Corrections

KENNETH DRY SOL, CASE NO. 04-0231
Appeal from formal reprimand
Correctional Counselor III

Agenda - Page 7
April 20, 2004

California Institution for Men - Chino
Department of Corrections

MARCUS GLENN, CASE NO. 03-1180
Appeal from dismissal
Pharmacy Technician
Department of Veterans Affairs

NATHAN GOSSETT, CASE NO. 03-1863
Appeal from demotion
Correctional Sergeant
Deuel Vocational Institution - Tracy
Department of Corrections

DARLENE HARRIS, CASE NO. 02-3763E
Appeal from discrimination/denial of
reasonable accommodation
Senior Laboratory Assistant
Department of Health Services

JON HENDERSON, CASE NO. 03-2298
Appeal from dismissal
Psychiatric Technician
Department of Developmental Services

ROCHELLE JOHNSON, CASE NO. 03-3211
Appeal from rejection during probation
Disability Evaluation Analyst
Department of Social Services at Oakland

CHRISTOPHER MAYFIELD, CASE NO. 03-2463E
Appeal from discrimination
Caltrans Equipment Operator II
Department of Transportation

MAI NGUYEN (aka MY WINN), CASE NO. 03-1360
Appeal from rejection during probation
Disability Insurance Program Representative
Employment Development Department

TIMOTHY REMALEY, CASE NO. 03-1492
Appeal from dismissal
Correctional Officer,
California State Prison - Ione
Department of Corrections

MICHAEL LYMAN, CASE NO. 03-0559
Appeal from rejection during probation
Fish and Game Warden

Department of Fish and Game

DAVID YORKOWITZ, SPB CASE NO. 03-1965E
Appeal from discrimination
Controller
State Compensation Insurance Fund

- Proposed Decisions Taken Under Submission
At Prior Meeting

These are ALJ proposed decisions taken
under submission at a prior Board
meeting, for lack of majority vote or
other reason.

NONE

- Proposed Decisions After Board Remand

NONE

- Proposed Decisions After SPB Arbitration

LANA G. ANDREWS, CASE NO. 04-0316
Appeal from suspension
Officer
California Highway Patrol

E. PETITIONS FOR REHEARING

- ALJ Proposed Decisions Adopted By The
Board

The Board will vote to grant or deny a
petition for rehearing filed by one or
both parties, regarding a case already
decided by the Board.

DONALD ATKINS, CASE NO. 03-1448P
Appeal from five-percent reduction
in salary for six months
Correctional Officer
California State Prison - San Quentin
Department of Corrections
Petition for rehearing filed by respondent
To be granted or denied.

WAYNE McKAY, CASE NO. 03-1496P
Appeal from whistleblower retaliation
Associate Programmer Analyst (Specialist)
State Water Resources Control Board
Petition for rehearing filed by appellant
to be granted or denied

MICHAEL K. MOSELEY, M.D., CASE NO. 03-2996P
Appeal for whistleblower retaliation by
the Health and Human Services Agency, the
Department of Social Services, and
Robert Schoenfelder, Director of the
Department of Social Services
Petition for rehearing filed by appellant
to be granted or denied

- Whistleblower Notice of Findings
The Board will vote to grant or deny a
petition for rehearing filed by one or
both parties, regarding a Notice of
Findings issued by the Executive
Officer under Government Code, section
19682 et seq. and Title 2, California
Code of Regulations, section 56 et seq.

NONE

- F. PENDING BOARD REVIEW
These cases are pending preparation of
transcripts, briefs, or the setting of
oral argument before the Board.

ANDREW CIRNER, CASE NO. 03-2241E
Appeal from denial of request for
reasonable accommodation
Senior Psychiatric Technician
Department of Mental Health

NICHOLAS COMAITES, CASE NO. 03-0062
Appeal from official reprimand
Correctional Counselor II
Department of Corrections
AND

PAUL WARD, CASE NO. 03-0332
Appeal from official reprimand
Correctional Administrator
Department of Corrections

ROSIE L. DASHIELL, CASE NO. 03-2279
Appeal from dismissal
Public Safety Dispatcher I
California Highway Patrol

KEVIN FRAZIER, CASE NO. 03-0736
Appeal from a one-step reduction in
salary for six months
Correctional Officer
California State Prison, San Quentin
Department of Corrections

SHANNON FROEMING, CASE NO. 03-2871E
Appeal from denial of request
for reasonable accommodation
Employment Program Representative
Employment Development Department

RONALD GALI, CASE NO. 03-0462
Appeal from dismissal
Native American Spiritual Leader
Folsom State Prison - Represa
Department of Corrections

ELIZABETH HERRERA, CASE NO. 03-2220
Appeal from constructive medical
termination
Administrative Support Coordinator I
San José State University at San José

MARY HUTTNER, CASE NO. 02-1690
Appeal from demotion Staff Services
Manager I to the position of Associate
Health Program
Advisor (top step)
Department of Health Services

CONNIE JAMES, CASE NO. 03-3136
Appeal from 15-working days'
suspension
Accounting Technician
Employment Development Department

CONNIE JOHNSON, CASE NO. 03-2620
Appeal from 30 calendar days suspension
Employment Program Representative
Employment Development Department

PAUL H. KEMP, Case No. 01-2841
Appeal from dismissal
Teacher Assistant - Youth Correctional
Reception Center and Clinic - Sacramento
Department of the Youth Authority

JENNIFER KILL, CASE NO. 02-2164B
Appeal for determination of back salary,
benefits and interest
Supervising Cook
California Correctional Institution -
Tehachapi
Department of Corrections

NEIL MADDEN, CASE NO. 03- 1682
Appeal from five-percent-reduction
in salary for three months
Correctional Officer
Centinela State Prison - Imperial
Department of Corrections at Imperial

DONNA MARTINEZ, CASE NO. 03-2232
Appeal from dismissal
Material & Stores Supervisor I
Central California Women's Facility,
Department of Corrections

RAY MARTINEZ, CASE NO. 03-3344
Appeal from dismissal
Correctional Officer
Substance Abuse Treatment Facility -
Corcoran
Department of Corrections

MARGARET A. MEJIA, CASE NO. 03-1848
Appeal from dismissal
Psychiatric Technician (Safety)
Department of Mental Health

CHRISTOPHER MIRAMONTES, CASE NO. 03-2299
Appeal from five-percent reduction in
salary for six months
Special Agent
Department of Corrections

MARYLAND PAGE, CASE NO. 03-3703
Appeal from five-percent reduction in
salary for twelve-months
Correctional Officer
Ironwood State Prison - Blythe
Department of Corrections

VIRGINIA PARKER, CASE NO. 03-0325
Appeal from demotion
Correctional Lieutenant
Ironwood State Prison - Blythe
Department of Corrections

NANCY SEARS, CASE NO. 02-2444
Appeal from two-step reduction in
salary for 12 months and transfer/
reassignment
Parole Agent I (Adult Parole)
Department of Corrections - Sacramento

NANCY VALENTINO, Case No. 03-0699
Appeal from dismissal
Psychiatric Technician
Department of Developmental Services

ALICE VAN-THU, CASE NO. 03-0413
Appeal from automatic resignation
Administrative Support Coordinator I
California State University

PHUONG VU, CASE NO. 03-1145
Appeal from dismissal
Transportation Engineer (Civil)
Department of Transportation

BEVERLY WILSON, CASE NO. 03-1150A
Appeal from dismissal
Administrative Support Assistant II
California State University

Agenda - Page 13
April 20, 2004

14. RESOLUTION EXTENDING TIME UNDER GOVERNMENT CODE
SECTION 18671.1 EXTENSION
(See Agenda Page 23)

15. NON-EVIDENTIARY CASES

A. WITHHOLD APPEALS

Cases heard by a Staff Hearing Officer, a managerial staff member of the State Personnel Board or investigated by Appeals Division staff. The Board will be presented recommendations by a Staff Hearing Officer or Appeals Division staff for final decision on each appeal.

EUSEBIO ARBALLO, CASE NO. 03-1043
Correctional Officer
Department of Corrections

LUIS ARBALLO, CASE NO. 03-1237
Correctional Officer
Department of Corrections

DRUSILLA LANG, CASE NO. 03-1563
Correctional Officer
Department of Corrections

RUDY LOPEZ, CASE NO. 03-1560
Correctional Officer
Department of Corrections

ERIC NELSON, CASE NO. 03-2033
Youth Correctional Officer
California Department of Youth Authority

JON NUSZKIEWICZ, CASE NO. 03-2147
Correctional Officer
Department of Corrections

JOE RAY PASILLAS, CASE NO. 03-1720
Correctional Officer
Department of Corrections

NICOLE ROBINSON, CASE NO. 03-1209
Correctional Officer
Department of Corrections

CYNTHIA STINSON, CASE NO. 03-1403
Correctional Officer
Department of Corrections

B. MEDICAL AND PSYCHOLOGICAL SCREENING APPEALS
NONE

Cases heard by a Staff Hearing Panel
comprised of a managerial staff member of the
State Personnel Board and a medical
professional. The Board will be presented
recommendations by a Hearing Panel on each
appeal.

C. EXAMINATION APPEALS
MINIMUM QUALIFICATIONS
MERIT ISSUE COMPLAINTS - NONE

Cases heard by a Staff Hearing Officer, a
managerial staff member of the State
Personnel Board or investigated by Appeals
Division staff. The Board will be presented
recommendations by a Staff Hearing Officer or
Appeals Division staff for final decision on
each appeal.

(Exam Case)

JOHN WONG, CASE NO. 02-4103
Staff Services Manager I
Department of Education

(Minimum Qualifications Case)

AMY HINCHEE, CASE NO. 02-1538
Staff Service Manager I
Department of Corrections

D. RULE 212 OUT-OF-CLASS APPEALS - NONE
VOIDED APPOINTMENT APPEALS - NONE
RULE 211 APPEALS - NONE

Cases heard by a Staff Hearing Officer, or a
managerial staff member of the State
Personnel Board. The Board will be presented
recommendations by a Staff Hearing Officer
for final decision on each appeal.

E. REQUEST TO FILE CHARGES CASES

PETITIONS FOR REHEARING CASES - NONE

Investigated by Appeals Division staff. The Board will be presented recommendations by Appeals Division staff for final decision on each request.

(RTFCS CASES)

RAUL CARRILLO, CASE NO. 03-3145
Correctional Sergeant
Department of Corrections

MARY DURHAM, CASE NO. 03-0212
Staff Services Manager I
Office of Emergency Services

DOROTHY SAID, CASE NO. 02-3895
Office Technician (General)
Department of Health Services

F. PSYCHOLOGICAL SCREENING CASES - NONE

Cases reviewed by Appeals Division staff, but no hearing was held. It is anticipated that the Board will act on these proposals without a hearing.

16. NON-HEARING CALENDAR

The following proposals are made to the State Personnel Board by either the Board staff or Department of Personnel Administration staff.

It is anticipated that the Board will act on these proposals without a hearing.

Anyone with concerns or opposition to any of these proposals should submit a written notice to the Executive Officer clearly stating the nature of the concern or opposition. Such notice should explain how the issue in dispute is a merit employment matter within the Board's scope of authority as set forth in the State Civil Service Act (Government Code Section 18500 et seq.) and Article VII, California Constitution. Matters within the Board's scope of authority include, but are not limited to, personnel selection, employee status, discrimination

and affirmative action. Matters outside the Board's scope of authority include, but are not limited to, compensation, employee benefits, position allocation, and organization structure. Such notice must be received not later than close of business on the Wednesday before the Board meeting at which the proposal is scheduled. Such notice from an exclusive bargaining representative will not be entertained after this deadline, provided the representative has received advance notice of the classification proposal pursuant to the applicable memorandum of understanding. In investigating matters outlined above, the Executive Officer shall act as the Board's authorized representative and recommend the Board either act on the proposals as submitted without a hearing or schedule the items for a hearing, including a staff recommendation on resolution of the merit issues in dispute.

A. INDUSTRIAL SUPERVISOR, PRISON INDUSTRIES SUPERINTENDENT I, AND PRISON INDUSTRIES SUPERINTENDENT II

The Prison Industry Authority proposes to establish the following three new parenthetical classes within the existing Industrial Supervisor, Prison Industries (Various Industries) Series, the Prison Industries Superintendent I (Various Industries) Series, and the Prison Industries Superintendent II (Various Industries) Series. The three new proposed parenthetical classes are the Industrial Supervisor, Prison Industries (Food Packing), which will serve a six month probationary period; Prison Industries Superintendent I (Food Packing) and Prison Industries Superintendent II (Food Packing), which will both serve 12-month probationary periods.

B. WORKERS' COMPENSATION JUDGE

The Department of Industrial Relations (DIR) is proposing to revise the Worker's Compensation Judge class specifications to amend the Minimum Qualifications section to require that applicants must

have experience in workers' compensation law, in accordance to Assembly Bill (AB) 749.

17. STAFF CALENDAR ITEMS FOR BOARD INFORMATION

Staff has approved the following:

NONE

18. CAREER EXECUTIVE ASSIGNMENT (CEA) CATEGORY ACTIVITY

This section of the Agenda serves to inform interested individuals and departments of proposed and approved CEA position actions.

The first section lists position actions that have been proposed and are currently under consideration.

Any parties having concerns with the merits of a proposed CEA position action should submit their concerns in writing to the Classification and Compensation Division of the Department of Personnel Administration, the Personnel Resources and Innovation Division of the State Personnel Board, and the department proposing the action.

To assure adequate time to consider objections to a CEA position action, issues should be presented immediately upon receipt of the State Personnel Board Agenda in which the proposed position action is noticed as being under consideration, and generally no later than a week to ten days after its publication.

In cases where a merit issue has been raised regarding a proposed CEA position action and the dispute cannot be resolved, a hearing before the five-member Board may be scheduled. If no merit issues are raised regarding a proposed CEA position action, and it is approved by the State Personnel Board,

the action becomes effective without further action by the Board.

The second section of this portion of the Agenda reports those position actions that have been approved. They are effective as of the date they were approved by the Executive Officer of the State Personnel Board.

A. REQUESTS TO ESTABLISH NEW CEA POSITIONS
CURRENTLY UNDER CONSIDERATION

(1) SENIOR ALTERNATIVE ENERGY ADVISOR

The Air Resources Board proposes to allocate the above position to the CEA category. The Senior Alternative Energy Advisor is responsible for the development of policies and strategies that will advance the use of hydrogen and renewable energy sources in California.

(2) ASSISTANT DIRECTOR, LEGISLATIVE AND
PUBLIC AFFAIRS

The Office of Statewide Health Planning & Development proposes to allocate the above position to the CEA category. The Assistant Director, Legislative and Public Affairs, devises policies and strategies to ensure that the legislative affairs and public affairs objectives of the Office of Statewide Health Planning & Development are met.

B. EXECUTIVE OFFICER DECISIONS REGARDING
REQUESTS TO ESTABLISH NEW CEA POSITIONS

(1) CHIEF, LEGISLATION, PUBLIC AFFAIRS
& COMMUNICATION

The Victim Compensation and Government Claims Board's request to establish the above position to the CEA category has been approved effective March 28, 2004.

(2) DEPUTY EXECUTIVE OFFICER,
ADMINISTRATION

The Victim Compensation and Government Claims Board's request to establish the above position to the CEA category has been approved effective March 28, 2004.

- (3) CHIEF OF LEGISLATION
The Department of Community Services and Development's request to establish the above position to the CEA category has been disapproved effective March 28, 2004.

19. WRITTEN STAFF REPORT FOR BOARD INFORMATION

20. PRESENTATION OF EMERGENCY ITEMS AS NECESSARY

A D J O U R N M E N T

SUBMITTED

1. TEACHER STATE HOSPITAL (SEVERELY), ETC. Departments of Mental Health and Developmental Services. (Hearing held December 3, 2002).
2. VOCATIONAL INSTRUCTOR (SAFETY) (VARIOUS SPECIALTIES). Departments of Mental Health and Developmental Services. (Hearing held December 3, 2002).
3. TELEVISION SPECIALIST (SAFETY)
The Department of Corrections proposes to establish the new classification Television Specialist (Safety) by using the existing Television Specialist class specification and adding "Safety" as a parenthetical to recognize the public aspect of their job, additional language will be added to the Typical Tasks section of the class specification and a Special Physical Characteristics section will be added. (Presented to Board March 4, 2003).

NOTICE OF GOVERNMENT CODE § 18671.1 RESOLUTION

Since Government Code section 18671.1 requires that cases pending before State Personnel Board Administrative Law Judges (ALJ's) be completed within six months or no later than 90 days after submission of a case, whichever is first, absent the publication of substantial reasons for needing an additional 45 days, the Board hereby publishes its substantial reasons for the need for the 45-day extension for some of the cases now pending before it for decision.

An additional 45 days may be required in cases that require multiple days of hearings, that have been delayed by unusual circumstances, or that involve any delay generated by either party (including, but not limited to, submission of written briefs, requests for settlement conferences, continuances, discovery disputes, pre-hearing motions). In such cases, six months may be inadequate for the ALJ to hear the entire case, prepare a proposed decision containing the detailed factual and legal analysis required by law, and for the State Personnel Board to review the decision and adopt, modify or reject the proposed decision within the time limitations of the statute.

Therefore, at its next meeting, the Board will issue the attached resolution extending the time limitation by 45 days for all cases that meet the above criteria, and that have been before the Board for less than six months as of the date of the Board meeting.

GOVERNMENT CODE § 18671.1 RESOLUTION

WHEREAS, Section 18671.1 provides that, absent waiver by the appellant, the time period in which the Board must render its decision on a petition pending before it shall not exceed six months from the date the petition was filed or 90 days from the date of submission; and

WHEREAS, Section 18671.1 also provides for an extension of the time limitations by 45 additional days if the Board publishes substantial reasons for the need for the extension in its calendar prior to the conclusion of the six-month period; and

WHEREAS, the Agenda for the instant Board meeting included an item titled "Notice of Government Code § 18671.1 Resolution" which sets forth substantial reasons for utilizing that 45-day extension to extend the time to decide particular cases pending before the Board;

WHEREAS, there are currently pending before the Board cases that have required multiple days of hearing and/or that have been delayed by unusual circumstances or by acts or omissions of the parties themselves;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the time limitations set forth in Government Code section 18671.1 are hereby extended an additional 45 days for all cases that have required multiple days of hearing or that have been delayed by acts or omissions of the parties or by unusual circumstances and that have been pending before the Board for less than six months as of the date this resolution is adopted.

* * * * *



CALIFORNIA STATE PERSONNEL BOARD

GRAY DAVIS, Governor

801 Capitol Mall • Sacramento, California 95814 • www.spb.ca.gov



(Cal. 04/20/04)

TO: Members
State Personnel Board

FROM: State Personnel Board - Legislative Office

SUBJECT: LEGISLATION

The status of major legislation being followed for impact on Board programs and the general administration of the State Civil Service Merit System is detailed in the attached report.

Any legislative action that takes place after the printing of this report, which requires discussion with the Board, will be covered during the Board meeting. Please note: All bills that are being tracked by the Legislative Office are listed. The Board may not have taken a position on each bill.

Please contact me directly should you have any questions or comments regarding this report. I can be reached at (916) 653-0453.

A handwritten signature in black ink that reads 'Sherry A. Hicks'.

Sherry A. Hicks
Director of Legislation

Attachment

**LEGISLATIVE TRACKING
REPORT
2003-2004 SESSION**

**Status as of
April 8, 2004**

(Note: Only bills with positions have been reviewed/approved by the Board)

ASSEMBLY BILLS (Tracking)

			ASSEM POLICY	ASSEM FISCAL	PASSED ASSEMBLY	SEN POLICY	SEN FISCAL	PASSED SENATE	ENROLLED	SIGNED	VETOED
BILL/ AUTHOR	BOARD POSITION	SUBJECT									
AB 25 Nunez	NEUTRAL	AB 25, with certain exceptions, require state agencies to accept as valid identification of a person, a photo identification card issued by another nation to its citizens or nationals	A	A	A	A	A	DEAD?			
AB 76 Corbett	SUPPORT	This bill would clarify and expand the legal protections of the Fair Employment and Housing Act (FEHA) by specifying that employers may be liable for harassment committed against their employees by non-employees, if the employer knew or should have known of the harassment and failed to take immediate and appropriate corrective action to stop the harassment.	A	A	A	A	A	A	A	Chapter #671	
AB 79 Dutra	NEUTRAL	AB 79 would suspend requirements for state departments and local agencies to prepare and submit various reports to the Legislature or the Governor until January 1, 2008. (This bill was amended on 3/25/04)	A	A	A	P	A				
AB 159 Jerome Horton	NEUTRAL	AB 159 allows state employees who have been disciplined by their appointing powers to split their causes of action and have two separate trials; one before the State Personnel Board (SPB) and the second before an arbitrator or state or federal court to review discrimination cases that could have been, but were not released during the disciplinary appeal before SPB.	A	A	A	A	A	DEAD			

AB 196 Leno	NEUTRAL	AB 196 would amend the Fair Employment and Housing Act (FEHA) to add "gender" to the list of classes protected by FEHA's anti-discrimination provisions by including gender as defined in the California Penal Code Section 422.76 in the FEHA definition of "sex". Gender is defined in the cited Penal Code section to include not only the individual's actual sex, but also his/her perceived sex based on identity, appearance or behavior.	A	A	A	A	A	A	A	A	Chapter #164	
AB 268 Mullin	SUPPORT	AB 268 would amend the Government Code to add training in employment law relating to persons with disabilities as part of the current 80 hours of required training for new supervisors.	A	A	A	A	A	A	A	A	Chapter # 336	
AB 292 Yee	SUPPORT	AB 292 would add language to various California Codes to prohibit the use of children as interpreters for any agency, organization, entity, or program that receives state funding. Additionally, the bill would result in the loss of funding and/or cancellation of contracts for any violation, until such time as specific corrective action is taken.	A	A	A	A						
AB 577 Horton	SUPPORT	This bill would require the State Personnel Board (SPB) to adopt a regulation that would provide for blanket waivers (subject to standards determined by the Board), which would allow an employee who has been dismissed from State service to compete in any future State civil service examination; and would require providing dismissed employees with written notification explaining the effect of dismissal and the process by which a dismissed employee can compete in civil service examinations.	A	A	A	A	A	A	A	A	Chapter #836	
AB 703 Dymally	NEUTRAL	AB 703 would define "racial discrimination" and "discrimination on the basis of race" as having the same meaning as the definition contained in the <i>International Convention on the Elimination of All Forms of Racial Discrimination</i> for purposes of interpreting the provisions of Section 31 of Article I of the California Constitution. In doing this, the bill would allow special measures be taken for the "adequate advancement" of racial groups requiring protection.	A	A	A	A	A	A	A	A	Chapter # 211	

AB 1209 Nakano	NEUTRAL	AB 1209 would amend Government Code section 11126 to clarify and make permanent existing provisions that authorize state bodies to hold closed sessions to consider matters posing a threat of criminal or terrorist activity against state buildings or property.	A	A	A	A	A	A	A	Chapter #8
Koretz AB 1583		This bill would prohibit a state agency, including the California State University, from employing a primary care physician as an independent contractor when there is an unfilled, full-time primary care physician position available within the state agency, <i>unless the state agency is unable to do so after a good faith effort</i>	A	A	A	A	A	A	DEAD?	
AB 1669 Chu	SUPPORT	AB 1669 revises the education requirements for physicians and psychologists who perform fitness for duty evaluations and pre-employment screening for peace officers.	A	A	A	A	A	A	A	Chapter # 777
AB 1825 Reyes	NEUTRAL	This bill would require employers with 3 or more employees to post, as specified, information concerning the illegality of sexual harassment and the remedies available to victims of sexual harassment and would require employers with 50 or more employees to provide 2 hours of training and education to all supervisory employees within one year of January 1, 2005, unless the employer has provided sexual harassment training and education to employees after January 1, 2004.								
AB 1827 Cohn	NEUTRAL	Creates a new exception to both state and local government open meeting laws that would allow state and local government bodies to meet in closed session for the purpose of discussing a confidential final draft audit report from the Bureau of State Audits.								
AB 1875 Maldonado		This bill would specify that all excluded employees are included within those provisions relating to participation in employee organizations for purposes of representation when meeting and conferring with respect to employment conditions.								

AB 1933 Pacheco	NEUTRAL	This bill would, among other things, extend the time for a public agency to respond to a request for public records from 10 to 20 days.																	
AB 2075 Benoit		A "spot" bill that makes technical, nonsubstantive changes to GC 18931.																	
AB 2231 PERS		A "spot" bill that makes technical, nonsubstantive changes to GC 20150.																	
AB 2275 Dymally	SUPPORT	This bill would repeal those sections of the Government Code that is outdated with the inception of Proposition 209. In addition, it clarifies the responsibilities of State agency's EEO program.																	
AB 2314 Horton	NEUTRAL	This bill would make the same burden of proof in discipline cases involving managerial employees, as currently exists for non-managerial employees.																	
AB 2408 Yee		This bill would require the survey and report to include additional information, and, if deficiencies in bilingual staffing are identified, would require state agencies to fill public contact jobs with qualified bilingual staff, unless exempted by the board, as specified.																	
AB 2662 Jackson		This bill would require the Governor and the Legislature to implement the principles underlying the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) by addressing discrimination against women and girls, as specified, and would require the Governor to evaluate state agencies and departments to ensure that the state does not discriminate against women through the allocation of funding and the delivery of services.																	
AB 2750 Steinberg		This bill would state the intent of the Legislature to implement the rulings of Biggs v. Wilson (9th Cir. 1993) 1 F.3d 1537 and White v. Davis (2003) 30 Cal.4th 528 as part of the statutory law of the state.																	

[illegible]

SENATE BILLS (Tracking)

			SEN POLICY	SEN FISCAL	PASSED SENATE	ASSEM POLICY	ASSEM FISCAL	PASSED ASSEMBLY	ENROLLED	SIGNED	VETOED
BILL/ AUTHOR	BOARD POSITION	SUBJECT									
SCA 1 Burton	NEUTRAL	This bill proposes to amend the California Constitution as it relates to public meetings and access to documents	A	A	A	A	A	A	A	Chapter #1	
SB 99 Burton	SUPPORT	SB 99 authorizes the Legislative Counsel Bureau (LCB) to consolidate its information technology (IT) classes into non-traditional "band" classes and salary ranges. Additionally, this bill authorizes LCB to test for these IT classes on an individual position basis, as opposed to the traditional approach of testing by broad job classification.	A	A	A	A	A	A	A	Chapter #528	
SB 434 Escutia	SUPPORT	SB 434 provides that, at the request of a prosecuting attorney or the Attorney General, the head of every state department may assist in conducting investigations of matters of unlawful activity under the department's jurisdiction. It also makes various changes to the manner in which such investigations are conducted and the scope of the investigating department's powers.	A	A	A	A	P	A	A	Chapter #876	
SB 1437 Speier		This bill would make nonsubstantive, technical changes in provision relating to the State Personnel Board. A "spot bill".									
SB 1452 Figueroa		This bill, to the extent not in conflict with federal law, would prohibit the state from contracting with any individual or entity that employs persons or subcontractors outside of the United States in order to perform and complete that state contract.									

SB 1638 Romero		This bill would require the Governor to submit as part of the state budget specified information for all current and proposed service contracts and to post the information on the state's Internet Web site in a specified format.											
SB 1892 Burton		This bill would repeal the provision of law of law that authorizes an employee organization that represents state employees to request the board to determine whether a proposed personal service contract, of a type that the state agency is not required to notify the board of its intention to enter into, is permitted by law.											
SCA 15 McClintock	OPPOSE	This measure would authorize the Governor to require any state agency to contract out the performance of state activities or tasks to the private sector that otherwise may be performed by persons selected through the state civil service if the Governor determines that terms more favorable to the state may be so obtained.											

STATE PERSONNEL BOARD

NON-HEARING CALENDAR

RE: BOARD CALENDAR APRIL 20, 2004

(Cal. 4/20/04)

MEMO TO: STATE PERSONNEL BOARD

FROM: KAREN COFFEE, Chief, Merit Employment and Technical
Resources Division

SUBJECT: Non-Hearing Calendar Items for Board Action.

Staff have evaluated these items and recommend the following
action be taken:

PAGE

A. INDUSTRIAL SUPERVISOR, PRISON INDUSTRIES
SUPERINTENDENT I, AND PRISON INDUSTRIES
SUPERINTENDENT II

201

The Prison Industry Authority proposes to
Establish the above three new
parenthetical classes within the existing
Industrial Supervisor, Prison Industries
(Various Industries) Series, the Prison
Industries Superintendent I (Various
Industries) Series, and the Prison
Industries Superintendent II (Various
Industries) Series. The three new
proposed parenthetical classes are the
Industrial Supervisor, Prison
Industries (Food Packing), which will
serve a 6 month probationary period;
Prison Industries Superintendent I
(Food Packing) and Prison Industries
Superintendent II (Food Packing), which
will both serve 12 month probationary
periods.

B. WORKERS' COMPENSATION JUDGE

228

The Department of Industrial Relations
(DIR) is proposing to revise the
Worker's Compensation Judge class
specifications to amend the Minimum
Qualification section to require that
applicants must have experience in
workers' compensation law, in
accordance to Assembly Bill (AB) 749.

TO: STATE PERSONNEL BOARD

FROM: SARA HULL, Staff Personnel Program Analyst
Department of Personnel Administration

REVIEWED BY: JOSIE FERNANDEZ, Program Manager
Department of Personnel Administration

SUBJECT: The Prison Industries Authority requests to establish three new
parenthetical classifications.

SUMMARY OF ISSUES:

Due to changes in the methods used in food packaging operations within correctional institutions, the Prison Industry Authority (PIA) is requesting to establish three new parenthetical classes. The proposed new classes of Industrial Supervisor, Prison Industries (Food Packaging), Prison Industries Superintendent I (Food Packaging), and Prison Industries Superintendent II (Food Packaging) to supervise inmates that will be responsible for receiving food in bulk quantities and repackaging items into individual or smaller servings for distribution to institutions throughout the state. Since the process for receiving and dispersing bulk food items requires different skills and tasks to be performed by civil service employees that are not described in existing parenthetical classes, PIA determined the need existed to establish classes more descriptive of the food packaging industry within their department.

The proposed probationary period for the Industrial Supervisor, Prison Industries (Food Packaging) is six months. PIA proposes a 12-month probationary period for the classes Prison Industries Superintendent I (Food Packaging) and Prison Industries Superintendent II (Food Packaging) which is consistent with other supervisory designated classifications.

Incumbents of current PIA food related classes will apply and/or be transfer to the new food processing parenthetical classes.

CONSULTED WITH:

SHARON HEARDEN, Chief, Human Resources, PIA
DAN KNIPP, Associate Personnel Analyst, PIA
PAT FITZGERALD, Assistant General Manager, Operations, (A) PIA
GURU HALAPPA, Branch Manager, Consumables, (A), PIA
RON HEIER, Prison Industries Manager (Food Products), PIA
CARLOS BLASCO, Prison Industries Superintendent II (Bakery), PIA
JENNIFER ROCHE, Personnel Analyst, SPB

In accordance with the terms of the DPA/IUOE contract, the Department of Personnel Administration has notified the union in writing of this proposal.

CLASSIFICATION CONSIDERATIONS:

See attached.

RECOMMENDATIONS:

That the following classes be established; the proposed specifications for these classes as shown in this calendar be adopted; and the probationary periods be a specified below.

<u>Class</u>	<u>Probationary Period</u>
Industrial Supervisor, Prison Industries (Food Packaging)	6 months
Prison Industries Superintendent I (Food Packaging)	12 months
Prison Industries Superintendent II (Food Packaging)	12 months

203

B. CLASSIFICATION CONSIDERATIONS

Instructions: Complete only if Concept (Part A) approved by DPA. Include headings (Background, Classification Considerations, etc.) if using additional paper. Only complete applicable questions (i.e., provide enough information to support the proposal). Respond to each of these questions and return with signed-off transmittal to your DPA and SPB Analysts.

BACKGROUND

1. Provide some historical perspective about the organizational setting of the subject class(es) and the needs that this request addresses. The Prison Industry Authority (PIA) has a history of over fifty years as an inmate work program selling goods and services to governmental agencies. The PIA has consistently expanded its program aspects, increasing inmate job assignments by over 115 percent. The PIA contributes to the California Department of Corrections (CDC) management of prisons by working inmates to alleviate idleness, a major cause of prison unrest. It also provides inmates with the opportunity to acquire or improve work habits and occupational skills. This establishment of a food packaging enterprise will be an opportunity to employ inmates in a work setting that offers an opportunity to acquire desirable, high level skills.

CLASSIFICATION CONSIDERATIONS

2. What classification(s) does the subject class(es) report to? The Prison Industries Superintendent II (Food Packaging) will report to a Prison Industries Manager. The Prison Industries Superintendent I (Food Packaging) will report to the Prison Industries Superintendent II (Food Packaging). The Industrial Supervisor, Prison Industries (Food Packaging) will report to the Prison Industries Superintendent I (Food Packaging).
3. Will the subject class(es) supervise? If so, what class(es)? The Prison Industries Superintendent II (Food Packaging) will supervise the Prison Industries Superintendent I (Food Packaging) and indirectly supervise the Industrial Supervisor, Prison Industries (Food Packaging), and other assigned staff. The Prison Industries Superintendent I (Food Packaging) will directly supervise the Industrial Supervisor, Prison Industries (Food Packaging).
4. What are the specific duties of the subject class(es)? The Prison Industries Superintendent II (Food Packaging) will have overall responsibility of the entire operation and will be responsible for the day-to-day operations and supervision of the food packaging enterprise with direct supervision responsibility over the Prison Industries Superintendent I (Food Packaging). The Prison Industries Superintendent I (Food Packaging) will supervise the Industrial Supervisor, Prison Industries (Food Packaging), who will oversee the inmates engaged in unloading trucks, slicing bread, packaging product, staging orders, and loading trucks.
5. What is the decision-making responsibility of the subject class(es)? The decision-making responsibilities of the employees in these classes will require extensive knowledge in the handling and shipping of perishable food products. In addition, employees in these classes will need to make decisions that will assure its customers that the PIA will meet their respective daily deliveries.
6. What would be the consequence of error if incumbents in the subject class(es) did not perform their jobs? The consequences of error if incumbents did not perform their respective jobs could result in the following:
 - a. Unhealthy packaged foods, causing mild and/or serious food related illnesses.
 - b. Late deliveries, resulting in lost customer confidence and reduced business.

Both these factors would lead to lost revenue to the PIA, which in turn would produce idle inmates and culminate in the PIA not achieving its mission.

7. What are the analytical requirements expected of incumbents in the subject class(es)?

The three classes perform detailed tasks associated with the ability to plan, organize, direct, and evaluate the everyday operations required in a food packaging operation. The customers individual requirements must be analyzed and evaluated to ensure prompt deliveries of wholesome packaged food items.

204 B. CLASSIFICATION CONSIDERATIONS

NEED FOR NEW CLASS (if necessary)

8. What are the purpose, type, and level of contacts incumbents in the subject class(es) make?

Incumbents in these classes will need to work closely with food vendors and transportation companies in addition to the weekly/daily contacts with institutional food managers and dieticians. Staff will also need to be in weekly/daily contact with PIA management staff.

9. For New classes only: what existing classes were considered and why were they not appropriate?

Existing classes that were considered and rejected were the: Meat, Coffee, Poultry, Egg and Bakery classes. All of these classes are strictly manufacturing enterprises while the new classes will package bulk food items such as bread, cookies and other related food items into individual size serving packages.

10. What are the proposed or current minimum qualifications of the subject class(es), and why are they appropriate? (Include inside and outside experience patterns.)

Prison Industries Superintendent II (Food Packaging)

Either I

One year of experience in the California State service performing the duties of Prison Industries Superintendent I (Various Industries), in the applicable industrial enterprises or trade.

Or II

Two years of experience in the California State service performing the duties of an Industrial Supervisor, Prison Industries (Various Industries), in the applicable industrial enterprise or trade.

Or III

Four years of production experience in the applicable industrial enterprise or trade, at least two years of which shall have been in a supervising capacity.

Prison Industries Superintendent I (Food Packaging)

Either I

One year of experience in the California state service performing the duties of an Industrial Supervisor, Prison Industries (Various Industries), in the applicable industrial enterprise or trade.

Or II

Three years of production experience in the applicable industrial enterprise or trade, at least one year of which shall have been in a supervising capacity.

Industrial Supervisor, Prison Industries (Food Packaging)

The following minimum qualifications are required for all Industrial Supervisor, Prison Industries parenthetical classes. Two years of production experience in the applicable industrial enterprise or trade. (Education, such as trade school, vocational education, or a major in the trade at the community college, college, or university level may be substituted for the required experience on the basis that two years of education is equal to one year of the required work experience. Such education must include two years of course work in the specified industrial operation.)

Promotional Candidate: Promotional candidates, including employees on training-and-development assignments, who are within six months or meeting the "Minimum Qualifications" for the specified promotional class, will be admitted to the examination but first must complete the required experience before they can be eligible for appointment.

PROBATIONARY PERIOD

☐ Six Months

☐ 12 Months

11. If a probationary period other than six months is proposed, what is the rationale?

The proposed probationary period for the Industrial Supervisor, Prison Industries (Food Packaging) is 6 months.

The proposed probationary period for the Prison Industries Superintendent I and II (Food Packaging) is 12 months.

The proposed probationary periods are the same as those for the existing equivalent parenthetical classifications.

B. CLASSIFICATION CONSIDERATIONS

STATUS CONSIDERATIONS (see additional information in Part D).

12. What is the impact on current incumbents?
There are no current incumbents.

13. Will current employees move by examination, transfer, reallocation, split-off, etc.? Explain rationale.

It is planned that incumbents of current PIA food related classes will apply and/or transfer to these new classes. The rationale would be for promotion and/or to gain the additional knowledge this classification will provide.

CONSULTED WITH

14. In addition to the departmental contacts listed on the cover sheet, list the names and affiliations of persons who were consulted during the development of this proposal.

Nick Lowe	Consultant	Hamnett Packaging
Thomas Sheffield	Consultant	AMF Bakery Supplies

CALIFORNIA STATE PERSONNEL BOARD

SPECIFICATION

INDUSTRIAL SUPERVISOR, PRISON INDUSTRIES
 (Various Industries)
 Series Specification
 (Established August 2, 1983)

SCOPE

This specification describes the following classifications used in the various industrial enterprises of the Prison Industry Authority. Positions are utilized at various correctional facilities including the California Department of Corrections, local jails, and return-to-custody facilities. Incumbents maintain order and supervise the conduct of inmates and protect and maintain the safety of persons and property.

<u>Schem</u> <u>Code</u>	<u>Class</u> <u>Code</u>	<u>Class</u>
RD81	7284	Industrial Supervisor, Prison Industries (Bakery)
RE90	7218	Industrial Supervisor, Prison Industries (Bindery)
RB71	7123	Industrial Supervisor, Prison Industries (Coffee Roasting and Grinding)
RB80	7159	Industrial Supervisor, Prison Industries (Composting)
RD85	7188	Industrial Supervisor, Prison Industries (Concrete Construction)
BK20	0648	Industrial Supervisor, Prison Industries (Crops Farm)
BK15	0682	Industrial Supervisor, Prison Industries (Dairy)
RE62	7204	Industrial Supervisor, Prison Industries (Dental Laboratory)
RB75	7151	Industrial Supervisor, Prison Industries (Detergent Plant)
RB81	7193	Industrial Supervisor, Prison Industries (Digital Services)
RB72	7129	Industrial Supervisor, Prison Industries (Egg Production)
RD88	7167	Industrial Supervisor, Prison Industries (Energy Production)
RD50	7198	Industrial Supervisor, Prison Industries (Fabric Products)
RC95	7153	Industrial Supervisor, Prison Industries (Farm Equipment Maintenance)
RC95	7153	Industrial Supervisor, Prison Industries (Farm Equipment Maintenance)
<u>RC96</u>	<u>7155</u>	<u>Industrial Supervisor, Prison Industries</u> <u>(Food Packaging)</u>
RD65	7160	Industrial Supervisor, Prison Industries (Key Entry)

Industrial Supervisor, Prison Industries (Various Industries)
Series

-2-

<u>Schem Code</u>	<u>Class Code</u>	<u>Class</u>
RE50	7211	Industrial Supervisor, Prison Industries (Knit Goods Finishing)
RE40	7210	Industrial Supervisor, Prison Industries (Knitting Mill)
RE95	2109	Industrial Supervisor, Prison Industries (Laundry)
RE70	7215	Industrial Supervisor, Prison Industries (Maintenance and Repair)
RE71	7213	Industrial Supervisor, Prison Industries (Materials Recovery)
RD40	7197	Industrial Supervisor, Prison Industries (Mattress and Bedding)
RB73	7130	Industrial Supervisor, Prison Industries (Meatcutting Processing)
RC80	7191	Industrial Supervisor, Prison Industries (Metal Fabrication)
RD68	7150	Industrial Supervisor, Prison Industries (Optical Products)
RD87	7289	Industrial Supervisor, Prison Industries (Paper Products)
RB69	7131	Industrial Supervisor, Prison Industries (Poultry Processing)
RE80	7216	Industrial Supervisor, Prison Industries (Printing)
RB77	7105	Industrial Supervisor, Prison Industries (Sausage Making/Cured Meats)
RD55	7152	Industrial Supervisor, Prison Industries (Sewing Machine Repair)
RE20	7207	Industrial Supervisor, Prison Industries (Shoe Manufacturing)
RE10	7206	Industrial Supervisor, Prison Industries (Shoes and Boots, Lasting/Packing)
RE12	7321	Industrial Supervisor, Prison Industries (Silkscreen)
RD79	7277	Industrial Supervisor, Prison Industries (Textile Mill/Finishing)
RD78	7276	Industrial Supervisor, Prison Industries (Textile Mill/Spinning and Weaving)
RC90	7192	Industrial Supervisor, Prison Industries (Tool and Die)
RC30	7179	Industrial Supervisor, Prison Industries (Upholstery)
RC20	7178	Industrial Supervisor, Prison Industries (Wood Products)

JOB DESCRIPTION

Under direction, in a State correctional institution including the Department of Corrections, local jails, and return-to-custody facilities, to train and supervise inmates in an industrial

Industrial Supervisor, Prison Industries (Various Industries)
Series

-3-

enterprise; to maintain order and supervise the conduct of persons and property; and to perform other related work. The Industrial Supervisors may be called upon to assume general custody responsibilities in time of emergency.

TYPICAL TASKS

Plans and schedules production including labor, materials, and equipment; coordinates and/or supervises installation, operation, maintenance, and repair of equipment and/or machinery; makes recommendations to increase production efficiency and product quality; trains, counsels, and supervises inmates or residents in production work, quality control, safety, and personal development; evaluates their performance and recommends appropriate action; assists in budget preparation and makes recommendations for needed materials, labor, and equipment; supervises preparation of records and reports on production, processing, and inventories; maintains order and supervises the conduct of persons committed to the Department of Corrections; prevents escapes and injury by these persons to themselves or others or to property; maintains security of working areas and work materials; inspects and searches inmates or residents for contraband, such as weapons or illegal drugs; and does other related work.

DIGITAL SERVICES

Trains and supervises inmate laborers to perform complex Geographic Information Systems (GIS) CAD and document imaging tasks; assists in the operation, management, and maintenance of a complex networked computer lab and the physical and network security of the lab; assists with the installation of computer workstations, software, and hardware; and assists with the administration and maintenance of the database and network servers.

MINIMUM QUALIFICATIONS

ALL CLASSES:

The following minimum qualifications are required for all Industrial Supervisor classes described in this specification except Dairy and Dental Laboratory. (These classes require either modified work experience background or special licensing and will be covered separately.)

Experience: Two years of production experience in the applicable industrial enterprise or trade. (Education, such as trade school, vocational education, or a major in the trade at the community college, college, or university level may be substituted for the required experience on the basis that two years of education is equal

Industrial Supervisor, Prison Industries (Various Industries)
Series

-4-

to one year of the required work experience. Such education must include two years of course work in the specified industrial operation.)

Promotional Candidate: Promotional candidates, including employees on training-and-development assignments, who are within six months of meeting the "Minimum Qualifications" for the specified promotional class, will be admitted to the examination but first must complete the required experience before they can be eligible for appointment.

DAIRY

Experience: Two years of production experience in the applicable industrial enterprise or trade and possession of a valid State of California General Milk Pasteurizer's License. (Applicants who do not possess a valid State of California General Milk Pasteurizer's License must secure the required license within six months of the date of appointment.) (Education, such as trade school, vocational education, or a major in the trade at the community college, college, or university level, may be substituted for the required experience on the basis that two years of education is equal to one year of the required experience. Such education must include two years of course work in the specified industrial operation.)

DENTAL LABORATORY

Experience: Two years of experience in the fabrication of the full range of dental prosthetic products of which one year shall have been in a lead capacity over entry level staff or inmates in a correctional facility, responsible for the fabrication of such products. (Education, such as trade school, vocational education, or a major in the trade at the community college, college, or university level, may be substituted for the required experience on the basis that two years of education is equal to one year of the required work experience. Such education must include two years of course work in the specified industrial operation.)

KNOWLEDGE AND ABILITIES

ALL CLASSES:

Knowledge of (with particular reference to their specialty): Methods, materials, machinery, processes, tools, and equipment used in industrial operations; production scheduling and control; quality standards and control; safety practices and orders; materials handling techniques; principles of personnel management and supervision.

Ability to (with particular reference to their specialty): Set up, repair, maintain, adjust, and operate required equipment; make labor and material estimates; instruct and supervise inmates or residents in production techniques and safety practices; maintain firm, impartial,

Industrial Supervisor, Prison Industries (Various Industries)
Series

-5-

and consistent discipline; understand rules, regulations, laws, and procedures; analyze situations accurately and take effective action; keep records and prepare reports; communicate effectively at a level required for successful job performance.

DIGITAL SERVICES

Knowledge of: General computer usage.

Ability to: Readily learn and adapt to new technologies.

SPECIAL PERSONAL CHARACTERISTICS

ALL CLASSES:

Tact, patience, and ability to work with persons confined in a correctional institution.

SPECIAL PHYSICAL CHARACTERISTICS

ALL CLASSES:

Persons appointed to positions in these classes must be reasonably expected to have and maintain sufficient strength, agility, and endurance to perform essential functions of the job during stressful (physical, mental, and emotional) situations without compromising their health and well-being or that of their fellow employees or that of inmates. Assignments during tour of duty may include sole responsibility for the supervision of inmates and/or the protection of personal and real property.

ADDITIONAL DESIRABLE QUALIFICATIONS

ALL CLASSES:

Supervisory experience; education equivalent to completion of the twelfth (12th) grade; and assertiveness.

COMPOSTING

Knowledge and experience in methods, processes, and practices used in the two-phase anaerobic digestion and aerobic drying of the organic fraction of municipal solid waste products in the production of compost.

CONCRETE CONSTRUCTION

Experience in commercial concrete construction.

Industrial Supervisor, Prison Industries (Various Industries)
Series

-6-

DENTAL LABORATORY

Dental laboratory experience within a correctional facility; certification as a Dental Laboratory Technician by the National Board for Certification; completion of a dental technology program accredited by the Commission on Dental Accreditation.

DIGITAL SERVICES

Knowledge of varied transportation, engineering, research, financial, and statistical matters; ability to lay out work for others and review the results; knowledge of principles and concepts of geography or cartography with regards to GIS.

ENERGY PRODUCTION

Knowledge and experience in the methods, processes, and practices of converting biogas fuel into electrical energy and alternative energy products.

MATERIALS RECOVERY

Experience in methods, processes, and practices for the categorical identification, sorting, recovery, and disposal of municipal waste products including products that may be deemed hazardous; knowledge and experience in determining market demand, marketing strategies, and pricing of categorical materials.

METAL FABRICATION

Experience in tube-bending machine operation including "set-up"; spray painting on conveyORIZED lines including bake oven and metal prep conveyORIZED lines; rating as Sheet Metal Journeyperson; tool and die experience; blueprint reading; and shop math.

PRINTING

Experience in offset printing.

TOOL AND DIE

Rating as a tool and die journeyperson.

Industrial Supervisor, Prison Industries (Various Industries)
Series

-7-

CLASS HISTORY

<u>Class</u>	<u>Date Established</u>	<u>Date Revised</u>	<u>Title Changed</u>
Industrial Supervisor, Prison Industries (Bakery)	11/6/85	11/5/98	--
Industrial Supervisor, Prison Industries (Bindery)	3/7/68	11/5/98	8/2/83
Industrial Supervisor, Prison Industries (Coffee Roasting and Grinding)	6/3/87	11/5/98	--
Industrial Supervisor, Prison Industries (Composting)	12/15/92	11/5/98	--
Industrial Supervisor, Prison Industries (Concrete Construction)	9/18/84	11/5/98	--
Industrial Supervisor, Prison Industries (Crops Farm)	7/14/45	11/5/98	8/2/83
Industrial Supervisor, Prison Industries (Dairy)	12/3/64	11/5/98	8/2/83
Industrial Supervisor, Prison Industries (Dental Laboratory)	7/24/90	11/5/98	--
Industrial Supervisor, Prison Industries (Detergent Plant)	1/3/84	11/5/98	9/18/84
Industrial Supervisor, Prison Industries (Digital Services)	1/20/99	--	--
Industrial Supervisor, Prison Industries (Egg Production)	6/3/87	11/5/98	--
Industrial Supervisor, Prison Industries (Energy Production)	12/15/92	11/5/98	--
Industrial Supervisor, Prison Industries (Fabric Products)	7/14/45	11/5/98	3/28/89
Industrial Supervisor, Prison Industries (Farm Equipment Maintenance)	1/3/84	11/5/98	--
<u>Industrial Supervisor, Prison Industries (Food Packaging)</u>	<u> </u>	<u>--</u>	<u>--</u>
Industrial Supervisor, Prison Industries (Furniture Refurbishing)	11/6/85	11/5/98	3/28/89
Industrial Supervisor, Prison Industries (Key Entry)	1/3/84	11/5/98	--
Industrial Supervisor, Prison Industries (Knit Goods Finishing)	4/21/61	11/5/98	8/2/83
Industrial Supervisor, Prison Industries (Knitting Mill)	4/21/61	11/5/98	8/2/83
Industrial Supervisor, Prison Industries (Laundry)	4/5/68	11/5/98	8/2/83
Industrial Supervisor, Prison Industries (Maintenance and Repair)	4/7/60	11/5/98	8/2/83

Industrial Supervisor, Prison Industries (Various Industries)
Series

-8-

<u>Class</u>	<u>Date Established</u>	<u>Date Revised</u>	<u>Title Changed</u>
Industrial Supervisor, Prison Industries (Materials Recovery)	12/15/92	11/5/98	--
Industrial Supervisor, Prison Industries (Mattress and Bedding)	5/7/59	11/5/98	8/2/83
Industrial Supervisor, Prison Industries (Meatcutting Processing)	6/3/87	11/5/98	3/28/89
Industrial Supervisor, Prison Industries (Metal Fabrication)	4/7/60	11/5/98	9/18/84
Industrial Supervisor, Prison Industries (Optical Products)	1/3/84	11/5/98	--
Industrial Supervisor, Prison Industries (Paper Products)	11/6/85	11/5/98	--
Industrial Supervisor, Prison Industries (Poultry Processing)	5/21/02	--	--
Industrial Supervisor, Prison Industries (Printing)	8/3/67	11/5/98	8/2/83
Industrial Supervisor, Prison Industries (Sausage Making/Cured Meats)	6/3/87	11/5/98	--
Industrial Supervisor, Prison Industries (Sewing Machine Repair)	1/3/84	11/5/98	--
Industrial Supervisor, Prison Industries (Shoe Manufacturing)	4/21/61	11/5/98	3/28/89
Industrial Supervisor, Prison Industries (Shoes and Boots, Lasting/Packing)	4/21/61	11/5/98	8/2/83
Industrial Supervisor, Prison Industries (Silkscreen)	7/24/90	11/5/98	--
Industrial Supervisor, Prison Industries (Textile Mill/Finishing)	7/10/85	11/5/98	--
Industrial Supervisor, Prison Industries (Textile Mill/Spinning and Weaving)	7/10/85	11/5/98	--
Industrial Supervisor, Prison Industries (Tool and Die)	11/18/50	11/5/98	8/2/83
Industrial Supervisor, Prison Industries (Upholstery)	6/15/61	11/5/98	8/2/83
Industrial Supervisor, Prison Industries (Wood Products)	12/15/45	11/5/98	8/2/83

ccd/sks

CALIFORNIA STATE PERSONNEL BOARD

SPECIFICATION

PRISON INDUSTRIES SUPERINTENDENT I
 (Various Industries)
 Series Specification
 (Established September 18, 1984)

SCOPE

This specification describes the following classifications used in the various industrial enterprises of the Prison Industry Authority. Positions are utilized at various correctional facilities including the California Department of Corrections, local jails, and return-to-custody facilities. Incumbents assist a Prison Industries Superintendent II in the planning, organizing, and supervision of an industrial enterprise, or have overall responsibility for the planning, organizing, and supervision of a small enterprise (typically a single shift operation). Incumbents also maintain order and supervise the conduct of inmates and protect and maintain the safety of persons and property.

<u>Schem</u> <u>Code</u>	<u>Class</u> <u>Code</u>	<u>Class</u>
BK10	0679	Prison Industries Superintendent I (Agriculture)
RC11	7290	Prison Industries Superintendent I (Bakery)
RE65	7169	Prison Industries Superintendent I (Bindery)
RA65	7109	Prison Industries Superintendent I (Coffee Roasting and Grinding)
RA67	7328	Prison Industries Superintendent I (Composting)
RD95	7183	Prison Industries Superintendent I (Concrete Construction)
RE61	7203	Prison Industries Superintendent I (Dental Laboratory)
RC25	7171	Prison Industries Superintendent I (Detergent)
RC19	7201	Prison Industries Superintendent I (Digital Services)
RA66	7350	Prison Industries Superintendent I (Egg Production)
RA69	7382	Prison Industries Superintendent I (Energy Production)
RD25	7194	Prison Industries Superintendent I (Fabric Products)
RE38	7351	Prison Industries Superintendent I (Fiberglass Products)
RE42	7353	Prison Industries Superintendent I (Food Packaging)
RE41	7352	Prison Industries Superintendent I (Furniture Refurbishing)
RC40	7180	Prison Industries Superintendent I (Key Entry)
RE55	7173	Prison Industries Superintendent I (Knitting Mill)
RE94	7174	Prison Industries Superintendent I (Laundry)
RA73	7383	Prison Industries Superintendent I (Materials Recovery)

Prison Industries Superintendent I (Various Industries)
Series

-2-

<u>Schem Code</u>	<u>Class Code</u>	<u>Class</u>
RC15	7168	Prison Industries Superintendent I (Mattress and Bedding)
RC12	7110	Prison Industries Superintendent I (Meat Plant Operations)
RC75	7189	Prison Industries Superintendent I (Metal Products)
RD45	7181	Prison Industries Superintendent I (Micrographics)
RD66	7182	Prison Industries Superintendent I (Optical Products)
RC13	7292	Prison Industries Superintendent I (Paper Products)
RC22	7156	Prison Industries Superintendent I (Poultry Processing)
RE15	7176	Prison Industries Superintendent I (Printing)
RE45	7177	Prison Industries Superintendent I (Shoe Manufacturing)
RE13	7320	Prison Industries Superintendent I (Silkscreen)
RC17	7134	Prison Industries Superintendent I (Swine Abattoir)
RC18	7135	Prison Industries Superintendent I (Swine Production)
RE16	7279	Prison Industries Superintendent I (Textile Mill)
RE17	7280	Prison Industries Superintendent I (Vehicle Reconditioning and Servicing)
RC10	7175	Prison Industries Superintendent I (Wood Products)

JOB DESCRIPTION

Under direction, in a State correctional institution including the Department of Corrections, local jails, and return-to-custody facilities, to assist the Prison Industries Superintendent II in the planning, organizing, and supervising of the operations in an industrial enterprise; or to plan, organize, and supervise the operations of a small industrial enterprise (typically a single shift operation); and to maintain order and supervise the conduct of persons and property. The Prison Industries Superintendent I may be called upon to assume general custody responsibilities in time of emergency.

TYPICAL TASKS

Supervises or assists in supervising an industrial enterprise; plans and schedules labor, material, and equipment for production; coordinates and/or supervises installation, operation, maintenance, and repair of equipment; makes recommendations to increase production, efficiency, and product quality; assists in development and preparation for production and marketing of new products; selects,

trains, counsels, and supervises staff and inmates in production work; is responsible for quality control, production control, inventory control, methods analysis, cost control, material research, procurement, safety, and personnel development; evaluates performance of staff and inmates and takes or recommends appropriate action; assists in budget preparation and makes recommendations for needed materials and equipment; supervises preparation of records and reports on production, processing, and inventories; dictates correspondence and prepares reports; maintains order and supervises the conduct of persons committed to the Department of Corrections; prevents escapes and injury by these persons to themselves or others or to property; maintains security of working areas and work materials; inspects premises and searches inmates or wards for contraband, such as weapons or illegal drugs.

MINIMUM QUALIFICATIONS

ALL CLASSES:

Experience:

Either I

One year of experience in the California state service performing the duties of an Industrial Supervisor, Prison Industries (Various Industries), in the applicable industrial enterprise or trade.

Or II

Three years of production experience in the applicable industrial enterprise or trade, at least one year of which shall have been in a supervising capacity.

KNOWLEDGE AND ABILITIES

ALL CLASSES:

Knowledge of (with particular reference to their specialty): Methods, materials, machinery, processes, tools, and equipment used in industrial operations; production scheduling and control; quality standards and control; safety practices and orders; materials handling techniques; principles of personnel management and supervision, budget preparation, and cost control; the Department's equal employment objectives; a manager's/supervisor's responsibility for promoting equal opportunity in hiring and employee development and promotion, and for maintaining a work environment that is free of discrimination and harassment.

Ability to (with particular reference to their specialty): Set up, repair, maintain, adjust, and operate required equipment; make labor and material estimates; instruct and supervise staff, inmates, or residents in production techniques and safety practices; maintain firm, impartial, and consistent discipline; understand rules, regulations, laws, and procedures; analyze situations accurately and take effective action; keep records and prepare reports; read and

Prison Industries Superintendent I (Various Industries)
Series

-4-

write English at a level required for successful job performance; effectively promote equal employment and maintain a work environment that is free of discrimination and harassment.

SPECIAL PERSONAL CHARACTERISTICS

ALL CLASSES:

Tact, patience, and ability to work with persons confined in a correctional institution.

SPECIAL PHYSICAL CHARACTERISTICS

ALL CLASSES:

Persons appointed to positions in this class must be reasonably expected to have and maintain sufficient strength, agility, and endurance to perform during stressful (physical, mental, and emotional) situations encountered on the job without compromising their health and well-being or that of their fellow employees or that of inmates. Assignments during tour of duty may include sole responsibility for the supervision of inmates and/or the protection of personal and real property.

ADDITIONAL DESIRABLE QUALIFICATIONS

ALL CLASSES:

Education equivalent to completion of graduation from college, assertiveness, experience in a correctional institution, and supervisory experience.

AGRICULTURE

Possession of a General Milk Pasteurizer's License.

COMPOSTING

Knowledge and experience in methods, processes, and practices used in the two-phase anaerobic digestion and aerobic drying of the organic fraction of municipal solid waste products in the production of compost.

CONCRETE CONSTRUCTION

Experience in commercial concrete construction and manufacture of precast components, including experience in a central mixing or batch plant.

Prison Industries Superintendent I (Various Industries)
Series

-5-

DENTAL LABORATORY

Certification as a dental laboratory technician by the National Board for Certification; completion of a dental technology program accredited by the Commission on Dental Accreditation; management or supervisory experience in a dental laboratory within a correctional facility; practical experience performing the duties of a dental laboratory technician in one or more specialties.

DIGITAL SERVICES

Experience in Geographic Information Systems (GIS) applications development; knowledge of demographic analysis, including analysis of client spatial data set for projects; ability to assess client research problems and advise on use of GIS.

ENERGY PRODUCTION

Knowledge and experience in the methods, processes, and practices of converting biogas fuel into electrical energy and alternative energy products.

MATERIALS RECOVERY

Experience in methods, processes, and practices for the categorical identification, sorting, recovery, and disposal of municipal waste products, including products that may be deemed hazardous. Knowledge and experience in determining market demand, marketing strategies, and pricing of categorical materials.

METAL PRODUCTS

Experience in setting up and operating power shears, punch presses, press brakes, tube-bending, MIG and TIG welding processes, grinding and polishing, metal finishing systems, and tool and die fabrication; rating as Sheet Metal Journeyman; blueprint reading and shop math.

PRINTING

Experience in offset printing.

Prison Industries Superintendent I (Various Industries)
Series

-6-

CLASS HISTORY

<u>Class</u>	<u>Date Established</u>	<u>Date Revised</u>	<u>Title Changed</u>
Prison Industries Superintendent I (Agriculture)	2/3/64	6/4/91	6/4/91
Prison Industries Superintendent I (Bakery)	11/6/85	6/4/91	6/4/91
Prison Industries Superintendent I (Bindery)	9/18/84	6/4/91	6/4/91
Prison Industries Superintendent I (Coffee Roasting and Grinding)	7/24/90	6/4/91	6/4/91
Prison Industries Superintendent I (Composting)	12/15/92	--	--
Prison Industries Superintendent I (Concrete Construction)	9/18/84	6/4/91	6/4/91
Prison Industries Superintendent I (Dental Laboratory)	7/24/90	6/4/91	6/4/91
Prison Industries Superintendent I (Detergent)	9/18/84	6/4/91	6/4/91
Prison Industries Superintendent I (Digital Services)	1/20/99	--	--
Prison Industries Superintendent I (Egg Production)	7/24/90	6/4/91	6/4/91
Prison Industries Superintendent I (Energy Production)	12/15/92	--	--
Prison Industries Superintendent I (Fabric Products)	6/30/71	6/4/91	6/4/91
Prison Industries Superintendent I (Fiberglass Products)	7/24/90	6/4/91	6/4/91
Prison Industries Superintendent I (Food Packaging)		--	--
Prison Industries Superintendent I (Furniture Refurbishing)	7/24/90	6/4/91	6/4/91
Prison Industries Superintendent I (Key Entry)	9/18/84	6/4/91	6/4/91
Prison Industries Superintendent I (Knitting Mill)	9/18/84	6/4/91	6/4/91
Prison Industries Superintendent I (Laundry)	9/18/84	6/4/91	6/4/91
Prison Industries Superintendent I (Materials Recovery)	12/15/92	--	--
Prison Industries Superintendent I (Mattress and Bedding)	9/18/84	6/4/91	6/4/91
Prison Industries Superintendent I (Meat Plant Operations)	6/3/87	6/4/91	6/4/91
Prison Industries Superintendent I (Metal Products)	3/7/68	6/4/91	6/4/91
Prison Industries Superintendent I (Micrographics)	9/18/84	6/4/91	6/4/91
Prison Industries Superintendent I (Optical Products)	9/18/84	6/4/91	6/4/91
Prison Industries Superintendent I (Paper Products)	11/6/85	6/4/91	6/4/91

Prison Industries Superintendent I (Various Industries)
Series

-7-

<u>Class</u>	<u>Date Established</u>	<u>Date Revised</u>	<u>Title Changed</u>
Prison Industries Superintendent I (Poultry Processing)	5/21/02	--	--
Prison Industries Superintendent I (Printing)	9/18/84	6/4/91	6/4/91
Prison Industries Superintendent I (Shoe Manufacturing)	9/18/84	6/4/91	6/4/91
Prison Industries Superintendent I (Silkscreen)	7/24/90	6/4/91	6/4/91
Prison Industries Superintendent I (Swine Abattoir)	6/3/87	6/4/91	6/4/91
Prison Industries Superintendent I (Swine Production)	6/3/87	6/4/91	6/4/91
Prison Industries Superintendent I (Textile Mill)	7/10/85	6/4/91	6/4/91
Prison Industries Superintendent I (Vehicle Reconditioning and Servicing)	7/10/85	6/4/91	6/4/91
Prison Industries Superintendent I (Wood Products)	4/7/60	6/4/91	6/4/91

ccd/sks

CALIFORNIA STATE PERSONNEL BOARD

SPECIFICATION

PRISON INDUSTRIES SUPERINTENDENT II
(VARIOUS INDUSTRIES)
Series Specification
(Established September 18, 1984)

SCOPE

This specification describes the following classifications used in the various industrial enterprises of the Prison Industry Authority. Positions are utilized at various correctional facilities including the California Department of Corrections, local jails, and return-to-custody facilities. Incumbents are in charge of the planning, organizing, and supervision of a large industrial enterprise (typically multishift operations). Incumbents maintain order and supervise the conduct of inmates and protect and maintain the safety of persons and property.

<u>Schem</u> <u>Code</u>	<u>Class</u> <u>Code</u>	<u>Class</u>
BK05	0617	Prison Industries Superintendent II (Agriculture)
RE34	7293	Prison Industries Superintendent II (Bakery)
RE85	7217	Prison Industries Superintendent II (Bindery)
RA71	7115	Prison Industries Superintendent II (Coffee Roasting and Grinding)
RA77	7384	Prison Industries Superintendent II (Composting)
RD72	7187	Prison Industries Superintendent II (Concrete Construction)
RE60	7202	Prison Industries Superintendent II (Dental Laboratory)
RB70	7170	Prison Industries Superintendent II (Detergent)
RC21	7212	Prison Industries Superintendent II (Digital Services)
RA72	7116	Prison Industries Superintendent II (Egg Production)
RE35	7294	Prison Industries Superintendent II (Electronic Components)
RA78	7385	Prison Industries Superintendent II (Energy Production)
RD20	7195	Prison Industries Superintendent II (Fabric Products)
RE36	7295	Prison Industries Superintendent II (Fiberglass Products)
RE43	7297	Prison Industries Superintendent II (Food Packaging)
RE37	7296	Prison Industries Superintendent II (Furniture Refurbishing)
RD56	7184	Prison Industries Superintendent II (Key Entry)
RE30	7209	Prison Industries Superintendent II (Knitting Mill)
RE92	2108	Prison Industries Superintendent II (Laundry)

<u>Schem Code</u>	<u>Class Code</u>	<u>Class</u>
RA70	7154	Prison Industries Superintendent II (Maintenance and Repair)
RA79	7386	Prison Industries Superintendent II (Materials Recovery)
RD30	7196	Prison Industries Superintendent II (Mattress and Bedding)
RA74	7136	Prison Industries Superintendent II (Meat Plant Operations)
RC70	7190	Prison Industries Superintendent II (Metal Products)
RD35	7185	Prison Industries Superintendent II (Micrographics)
RD15	7186	Prison Industries Superintendent II (Optical Products)
RE39	7298	Prison Industries Superintendent II (Paper Products)
RC23	7117	Prison Industries Superintendent II (Poultry Processing)
RE75	7214	Prison Industries Superintendent II (Printing)
RD90	7205	Prison Industries Superintendent II (Shoe Manufacturing)
RE14	7319	Prison Industries Superintendent II (Silkscreen)
RA76	7140	Prison Industries Superintendent II (Swine Production/Abattoir)
RE31	7281	Prison Industries Superintendent II (Telemarketing)
RE32	7282	Prison Industries Superintendent II (Textile Mill)
RE33	7283	Prison Industries Superintendent II (Vehicle Reconditioning and Servicing)
RB90	7172	Prison Industries Superintendent II (Wood Products)

JOB DESCRIPTION

Under general direction, in a State correctional institution including the Department of Corrections, local jails, and return-to-custody facilities, to plan, organize, and supervise the operations in an industrial enterprise; to maintain order and supervise the conduct of persons and property. The Prison Industries Superintendent II may be called upon to assume general custody responsibilities in time of emergency.

TYPICAL TASKS

Is responsible for supervising an industrial enterprise; plans and schedules labor, material, and equipment for production; coordinates and/or supervises installation, operation, maintenance, and repair of equipment; makes recommendations to increase production, efficiency, and product quality; assists in development and preparation for

production and marketing of new products; selects, trains, counsels, and supervises staff and inmates in production work; is responsible for quality control, production control, inventory control, methods analysis, cost control, material research, procurement, safety, and personnel development; evaluates performance of staff and inmates and takes or recommends appropriate action; assists in budget preparation and makes recommendations for needed materials and equipment; supervises preparation of records and reports on production, processing, and inventories; dictates correspondence and prepares reports; maintains order and supervises the conduct of persons committed to the Department of Corrections; prevents escapes and injury by these persons to themselves or others or to property; maintains security of working areas and work materials; and inspects premises and searches inmates or wards for contraband, such as weapons or illegal drugs.

MINIMUM QUALIFICATIONS

ALL CLASSES:

Experience:

Either I

One year of experience in the California state service performing the duties of Prison Industries Superintendent I (Various Industries), in the applicable industrial enterprise or trade.

Or II

Two years of experience in the California state service performing the duties of an Industrial Supervisor, Prison Industries (Various Industries), in the applicable industrial enterprise or trade.

Or III

Four years of production experience in the applicable industrial enterprise or trade, at least two years of which shall have been in a supervising capacity.

KNOWLEDGE AND ABILITIES

ALL CLASSES:

Knowledge of (with particular reference to their specialty): Methods, materials, machinery, processes, tools, and equipment used in industrial operations; production scheduling and control; quality standards and control; safety practices and orders; materials handling techniques; principles of personnel management, supervision, budget preparation, and cost control; the Department's equal employment objectives; a manager's/supervisor's responsibility for promoting equal opportunity in hiring and employee development and promotion, and maintaining a work environment that is free of discrimination and harassment.

Ability to (with particular reference to their specialty): Set up, repair, maintain, adjust, and operate required equipment; make labor and material estimates; instruct and supervise staff, inmates, or residents in production techniques and safety practices; maintain firm

and impartial and consistent discipline; understand rules, regulations, laws, and procedures; analyze situations accurately and take effective action; keep records and prepare reports; communicate effectively at a level required for successful job performance; effectively promote equal opportunity in employment and maintain a work environment that is free of discrimination and harassment.

SPECIAL PERSONAL CHARACTERISTICS

ALL CLASSES:

Tact, patience, and ability to work with persons confined in a correctional institution.

SPECIAL PHYSICAL CHARACTERISTICS

ALL CLASSES:

Persons appointed to positions in this class must be reasonably expected to have and maintain sufficient strength, agility, and endurance to perform during stressful (physical, mental, and emotional) situations encountered on the job without compromising their health and well-being or that of their fellow employees or that of inmates. Assignments during tour of duty may include sole responsibility for the supervision of inmates and/or the protection of personal and real property.

ADDITIONAL DESIRABLE QUALIFICATIONS

ALL CLASSES:

Education equivalent to completion of graduation from college, assertiveness, and experience in a correctional institution.

AGRICULTURE

Possession of a General Milk Pasteurizer's License.

COMPOSTING

Knowledge and experience in methods, processes, and practices used in the two-phase anaerobic digestion and aerobic drying of the organic fraction of municipal solid waste products in the production of compost.

CONCRETE CONSTRUCTION

Experience in commercial concrete construction and manufacture of precast components, including experience in a central mixing or batch plant.

DENTAL LABORATORY

Certification as a dental laboratory technician by the National Board for Certification; completion of a dental technology program accredited by the Commission on Dental Accreditation; management or supervisory experience in a dental laboratory within a correctional facility; practical experience performing the tasks of a dental laboratory technician in one or more specialties.

DIGITAL SERVICES

Knowledge and experience in Geographic Information Systems technology; ability to consult with clients on information technology to integrate spatial information into the enterprise workplace.

ENERGY PRODUCTION

Knowledge and experience in the methods, processes, and practices of converting biogas fuel into electrical energy and alternative energy products.

MATERIALS RECOVERY

Experience in methods, processes, and practices for the categorical identification, sorting, recovery, and disposal of municipal waste products, including products that may be deemed hazardous. Knowledge and experience in determining market demand, marketing strategies, and pricing of categorical materials.

METAL PRODUCTS

Experience in setting up and operating power shears, punch presses, press brakes, tube-bending, MIG and TIG welding processes, grinding and polishing, metal finishing systems, and tool and die fabrication; rating as Sheet Metal Journeyman; blueprint reading and shop math.

PRINTING

Experience in offset printing.

CLASS HISTORY

<u>Class</u>	<u>Date Established</u>	<u>Date Revised</u>	<u>Title Changed</u>
Prison Industries Superintendent II (Agriculture)	5/22/53	12/15/92	6/4/91
Prison Industries Superintendent II (Bakery)	11/6/85	12/15/92	6/4/91

Prison Industries Superintendent II (Various Industries) Series

-6-

<u>Class</u>	<u>Date Established</u>	<u>Date Revised</u>	<u>Title Changed</u>
Prison Industries Superintendent II (Bindery)	3/7/68	12/15/92	6/4/91
Prison Industries Superintendent II (Coffee Roasting and Grinding)	6/3/87	12/15/92	6/4/91
Prison Industries Superintendent II (Composting)	12/15/92	--	--
Prison Industries Superintendent II (Concrete Construction)	9/18/84	12/15/92	6/4/91
Prison Industries Superintendent II (Dental Laboratory)	7/24/90	12/15/92	6/4/91
Prison Industries Superintendent II (Detergent)	7/11/63	12/15/92	6/4/91
Prison Industries Superintendent II (Digital Services)	1/20/99	--	--
Prison Industries Superintendent II (Egg Production)	6/3/87	12/15/92	6/4/91
Prison Industries Superintendent II (Electronic Components)	11/6/85	12/15/92	6/4/91
Prison Industries Superintendent II (Energy Production)	12/15/92	--	--
Prison Industries Superintendent II (Fabrics Products)	4/7/60	12/15/92	6/4/91
Prison Industries Superintendent II (Fiberglass Products)	11/6/85	12/15/92	6/4/91
<u>Prison Industries Superintendent II (Food Packaging)</u>	<u> </u>	<u>--</u>	<u>--</u>
Prison Industries Superintendent II (Furniture Refurbishing)	11/6/85	12/15/92	6/4/91
Prison Industries Superintendent II (Key Entry)	9/18/84	12/15/92	6/4/91
Prison Industries Superintendent II (Knitting Mill)	4/21/61	12/15/92	6/4/91
Prison Industries Superintendent II (Laundry)	1/1/83	12/15/92	6/4/91
Prison Industries Superintendent II (Maintenance and Repair)	12/2/65	12/15/92	6/4/91
Prison Industries Superintendent II (Materials Recovery)	12/15/92	--	--
Prison Industries Superintendent II (Mattress and Bedding)	5/7/59	12/15/92	6/4/91
Prison Industries Superintendent II (Meat Plant Operations)	6/3/87	12/15/92	6/4/91
Prison Industries Superintendent II (Metal Products)	4/7/60	12/15/92	6/4/91
Prison Industries Superintendent II (Micrographics)	9/18/84	12/15/92	6/4/91
Prison Industries Superintendent II (Optical Products)	9/18/84	12/15/92	6/4/91
Prison Industries Superintendent II (Paper Products)	11/6/85	12/15/92	6/4/91
Prison Industries Superintendent II (Poultry Processing)	5/21/02	--	--

Prison Industries Superintendent II (Various Industries) Series

-7-

<u>Class</u>	<u>Date Established</u>	<u>Date Revised</u>	<u>Title Changed</u>
Prison Industries Superintendent II (Printing)	1/9/69	12/15/92	6/4/91
Prison Industries Superintendent II (Shoe Manufacturing)	4/21/61	12/15/92	6/4/91
Prison Industries Superintendent II (Silkscreen)	7/24/90	12/15/92	6/4/91
Prison Industries Superintendent II (Swine Production/Abattoir)	6/3/87	12/15/92	6/4/91
Prison Industries Superintendent II (Telemarketing)	7/10/85	12/15/92	6/4/91
Prison Industries Superintendent II (Textile Mill)	7/10/85	12/15/92	6/4/91
Prison Industries Superintendent II (Vehicle Reconditioning and Servicing)	7/10/85	12/15/92	6/4/91
Prison Industries Superintendent II (Wood Products)	7/14/45	12/15/92	6/4/91

ccd/sks

(April 20, 2004)

TO: STATE PERSONNEL BOARD

FROM: Hortencia O. Morales
Staff Personnel Program Analyst

REVIEWED BY: Wayne Kurahara, Program Manager
Department of Personnel Administration

SUBJECT: Revision to the WORKERS' COMPENSATION JUDGE (WCJ)
Specification.

SUMMARY OF ISSUES:

The Department of Industrial Relations (DIR) is proposing to revise the WCJ class specification to amend the MINIMUM QUALIFICATION (MQ) section in accordance to Assembly Bill (AB) 749. The MQ changes specify that applicants must have experience in workers' compensation law. In addition, the proposal makes minor changes to update the class specification language to current terminology.

CONSULTED WITH:

Walt L. Harris, Personnel Officer, DIR
Jennifer Roche, SPB

In accordance with the terms of the DPA/California Attorneys, Administration Law Judges, and Hearing Officers in State Employment (CASE) contract, DPA has notified the union in writing of this proposal.

CLASSIFICATION CONSIDERATIONS:

See attached proposal.

RECOMMENDATIONS:

That the proposed revised specifications for the class of WORKERS' COMPENSATION JUDGE as shown in this calendar be adopted.

B. CLASSIFICATION CONSIDERATIONS

1. Provide some historical perspective about the organizational setting of the subject class and the needs that this request addresses.

The Department of Industrial Relations (DIR) was established to improve working conditions for California's 16,000,000 wage earners. Within the DIR are several distinct Divisions and Programs. One of the major Divisions of DIR is the Division of Workers' Compensation (DWC). The DWC has 24 District Offices throughout the state. These Offices house workers' compensation courts that attempt to minimize disputes and provide administrative and judicial services to assist in resolving disputes that arise in connection with claims for workers' compensation benefits. When such disputes between injured workers and employers cannot be resolved, they are tried in the court system of the DWC for resolution before a Workers' Compensation Judge. There are 200,000 claims filed each year to resolve disputes of injured workers and their employers. A Workers' Compensation Judge is supported by a Senior Legal Typist, an Office Assistant (Typing), and a Hearing Reporter, based upon a staffing ration of 6 Hearing Reporters for every 10 Judges. The Workers' Compensation Judge hears the case, and makes a decision on the merits of the issues raised before him/her during the trial. The Senior Legal Typist serves as a Secretary to the Workers' Compensation Judge. The Office Assistant (Typing) serves as a receptionist and clerical support person for the team. The Hearing Reporter takes verbatim testimony of everything that is said in a Workers' Compensation hearing. Although each Hearing Reporter serves a Judge Team on a 6 to 10 ratio, it should be noted that all Hearing Reporters are full-time employees of DWC.

If the DWC is to provide the best and most efficient service to the injured workers' of California, they must have a competent staff of professionals that can furnish the guidance, leadership and direction to subordinate staff. This has led to the Department of Industrial Relations' request to amend the minimum qualifications for the class of Workers' Compensation Judge. Recent legislation, Assembly Bill 749, Statutes of February 15, 2002 has refined the minimum qualifications for the class of Workers' Compensation Judge. Now, competitors wishing to be appointed to that class must have some experience in workers' compensation law, litigation, and handling claims of injured workers or representing employers' interests in such claims. The adoption of these new minimum qualifications should help to appoint future Workers' Compensation Judges who are familiar with workers' compensation law, and should be better prepared to render decisions on workers' compensation claims.

2. What classification(s) does the subject class report to?

The Workers' Compensation Judge reports to a Presiding Workers' Compensation Judge, who in turn reports to a Regional Manager, Workers' Claims Adjudication. The Regional Managers report to the Chief Judge in the DWC Headquarters in San Francisco.

3. Will the subject class supervise? If so, what classes?

No. The class of Workers' Compensation Judge is designated "R02" for collective bargaining purposes and does not perform any supervisory duties.

4. What are the specific duties of the subject class?

The Workers' Compensation Judge conducts judicial proceedings to resolve disputes between injured workers and employers. This work is conducted in a court setting where the Workers' Compensation Judge instructs parties and witnesses, administers oaths to witnesses, rules on points of law that are raised by attorneys for the worker as well as the employer, and interprets sections of the California Labor Code, with respect to workers' compensation. After he/she has heard all of the testimony and evaluated the evidence, the Workers' Compensation Judge makes a ruling on the merits of a case and finds for either the injured worker or the employer.

5. What is the decision-making responsibility of the subject class?

The primary duty of the Workers' Compensation Judge is to rule on cases brought before him/her on eligibility of benefits for injured workers. These decisions impact the working population of California, and may, in some cases, serve as precedential decisions for similar work injury cases.

6. What would be the consequence of error if incumbents in the subject class did not perform their jobs?

The consequence of error if Workers' Compensation Judges did not do their jobs would be extremely costly. The State of California has over 16,000,000 working men and women. Whenever one of them is injured during the course of their employment, they are entitled to workers' compensation benefits. It is the responsibility of the Workers' Compensation Judge to make these decisions. The decisions made by the Workers' Compensation Judges have a profound impact on the state's business economy. If a Workers' Compensation Judge finds that a worker has been injured on the job and is entitled to benefits as a result of that injury, then the state's economy is not negatively impacted by the injured worker. If the injured worker does not receive his/her workers' compensation benefits, then this impacts his/her purchasing power and the employee's ability to exist independently. If this happens, then the business economy suffers along with so many other related entities, e.g., housing, food, transportation, etc.

7. What are the analytical requirements expected of incumbents in the subject class?

The analytical requirements of incumbents in the class of Workers' Compensation Judge are quite extensive. First, the Workers' Compensation Judge must be able to take a set of facts and ascertain if the claim for workers' compensation is legitimate. This requires that the Workers' Compensation Judge be able to evaluate evidence and make some intelligent decisions on the fact that are presented to him/her. After the Workers' Compensation Judge makes his/her decision on the facts that are presented in the case, he/she then needs to be

able to make a determination on what section(s) of the California Labor Code are applicable in the case. This requires an in-depth knowledge of the law and the California Labor Code. Since decisions made by Workers' Compensation Judges are subject to appeal, the Judges must make accurate and consistent interpretation of applicable labor laws to be successful in the class.

8. What are the purpose, type, and level of contact incumbents in the subject class make?

Workers' Compensation Judges will routinely have ongoing contacts with attorneys who will represent either the injured worker or the employer. Judges will also have frequent and ongoing contacts with injured workers. In both cases, the workers' compensation judge explains to these parties what sections of the California Labor Code and the law are applicable. The Workers' Compensation Judge may also have contacts with Presiding Judges, Regional Managers, and the Chief Judge in discussing points of law, and how the California Labor Code may apply to a certain set of facts.

9. Need for New Class

N/A. This proposal is to revise the minimum qualifications for the existing class of Workers' Compensation Judge.

10. What are the proposed or current minimum qualifications of the subject class, and why are they appropriate? (Include inside and outside experience patterns.)

The current minimum qualifications for the class of Workers' Compensation Judge are as follows: Membership (active or inactive) in The State Bar of California. And Experience: Either 1) Two years as an attorney serving on the staff of the Division of Industrial Accidents (Currently the Division of Workers' Compensation), Workers' Compensation Appeals Board in a class with a level of responsibility not less than that of Industrial Relations Counsel I; or 2) Five years of experience in the active practice of law¹ in litigation before a trial court or quasi-judicial body involving the interests of adverse parties; or 3) Three years as presiding officer in a judicial or quasi-judicial body; or as a member of a court conducting quasi-judicial proceedings; or 4) Three years as a hearing officer.

Assembly Bill 749 addressed the fact that most of the above experience requirements do not call for work in the area of workers' compensation. Therefore, the California Labor Code, section 123.5 now reads as follows: "(b) All workers' compensation administrative law judges appointed on or after January 1, 2003, shall be attorneys licensed to practice law in California for five or more years prior to their appointment and shall have experience in workers' compensation law." Based on the enactment of Assembly Bill 749, the Department of Industrial Relations is now proposing the minimum qualifications for the class of Workers' Compensation Judge be changed as follows: Membership (active or inactive) in the State Bar of California and Either: I) Licensed to practice law in California for five or more years, at least two years of which shall be as an attorney serving on the staff of the Division

¹ Experience in the "practice of law" or "performing legal duties" or "legal experience" is defined as only that legal experience acquired after admission to The Bar.

of Workers' Compensation or Workers' Compensation Appeals Board in a class with a level of responsibility not less than that of an Industrial Relations Counsel I. Or, II) Licensed and experience in the active practice of law², in California for five or more years, in litigation before a trial court or quasi-judicial body involving the interests of adverse parties, at least three years of which shall be in workers' compensation law. Or, III) Licensed and experience in the active to practice of law in California for five or more years, experience in workers' compensation law, at least three years as presiding officer in a judicial or quasi judicial body; or as a member of a court conducting judicial prodeedings; or an administrative body conducting quasi-judicial proceedings; or as a hearing officer. The proposed new minimum qualifications for the class of Workers' Compensation Judge would provide for a better screening of applicants for this examination in that only those candidates who have demonstrated experience in workers' compensation cases would be admitted into the examination. This would reduce the workload of the Personnel Office and the Division of Workers' Compensation in that only those candidates with applicable experience would be admitted into the examination.

11. If a probationary period other than six months is proposed, what is the rationale?

The existing probationary period for the class is 12 months and the Department of Industrial Relations is not proposing any changes to the length of the probationary period.

12. What is the impact on current incumbents?

This proposed specification revision would have no impact on current incumbents in the class of Workers' Compensation Judge.

13. Will current employees move by examination, transfer, reallocation, split-off, etc? Explain rationale.

N/A.

14. In addition to the departmental contacts listed on the cover sheet, list the names and affiliations of persons who were consulted during the development of this proposal.

Hortencia O. Morales, Department of Personnel Administration.

² Experience in the "practice of law" or "performing legal duties" or "legal experience" is defined as only that legal experience acquired after admission to The Bar.

CALIFORNIA STATE PERSONNEL BOARD

SPECIFICATION

Schematic Code: OY10
 Class Code: 6116
 Established: 5/15/31
 Revised: 7/19/83
 Title Changed: 7/19/83

WORKERS' COMPENSATION JUDGE

DEFINITION

Under general direction of the ~~Workers' Compensation Appeals Board~~ Administrative Director and Court Administrator of the Division of Workers' Compensation, to conduct judicial proceedings at which evidence, oral and written, is produced by adverse parties to disputed claims arising under the Labor Code provisions pertaining to workers' compensation insurance and safety; to make decisions upon the evidence presented; and to do other related work.

TYPICAL TASKS

As presiding officer in judicial proceedings, instructs the parties and witnesses, as occasion arises, as to their rights; administers oaths to and questions witnesses; rules on the admissibility of oral and documentary evidence; prepares a memorandum containing a digest of the testimony produced, together with a discussion of the evidence under the issues framed and Findings of Fact and the conclusions of law in support of the decision in each case; advises members of the public on questions they may ask as to their rights under the Labor Code of the State of California and assists them in interpreting the provisions pertaining to workers' compensation insurance and safety; ~~prepares digests of decisions for the published reports of Commission cases; does and does~~ legal research.

MINIMUM QUALIFICATIONS

Membership (active or inactive) in The State Bar of California.

and

Experience: Either

1. ~~Two years as an attorney serving on the staff of the Division of Industrial Accidents or Workers' Compensation Appeals Board in a class with a level of responsibility not less than that of Industrial Relations Counsel I~~ Licensed to practice law in California for five or more years, at least two years of which shall be as an attorney serving on the staff of the Division of

Workers' Compensation or Workers' Compensation Appeals Board in a class with a level of responsibility not less than that of an Industrial Relations Counsel I. or

2. Licensed and ~~Five years of~~ experience in the active practice of law* in California for five or more years, in litigation before a trial court or quasi-judicial body involving the interests of adverse parties, at least three years of which shall be in workers' compensation law. or
3. Licensed and experience in the active practice of law in California for five or more years, experience in workers' compensation law, at least three years as presiding officer in a judicial or quasi judicial body; or as a member of a court conducting judicial proceedings; ; or an administrative body conducting quasi-judicial proceedings; ; or
4. ~~Three years~~ as a hearing officer.

KNOWLEDGE AND ABILITIES

Knowledge of: Principles and provisions of the Labor Code pertaining to workers' compensation insurance and safety; leading court decisions in California and the United States Supreme Court on the subject of California Workers' Compensation Law; conduct of proceedings in a trial court, rules of evidence governing such proceedings, and laws relating to serving notices, taking depositions, and issuing subpoenas; medical, physiological, anatomical, and occupational terminology in relation to cases of industrial injury; purposes and organization of the Workers' Compensation Appeals Board and Division of ~~Industrial Accidents~~ Workers' Compensation; procedure before the Workers' Compensation Appeals Board; and legal research methods and performing such research; underlying philosophy of workers' compensation legislation; ~~Board's Affirmative Action Program objectives; a manager's role in the Affirmative Action Program and the processes available to meet affirmative action objectives.~~

* Experience in the "practice of law" or "performing legal duties" or "legal experience" is defined as only that legal experience acquired after admission to The Bar.

Ability to: Perform legal research; conduct hearings in a manner that will obtain all pertinent evidence and secure the confidence and respect of all parties; analyze and appraise legal problems, and apply legal principles and precedents to particular sets of facts; make accurate summaries of evidence and prepare appropriate findings, awards, orders, and other legal documents relating to compensation litigation; analyze situations accurately and adopt an effective course of action; ~~spea~~k and write and communicate effectively; ~~and effectively contribute to the Board's affirmative action objectives at~~ a level required to perform the essential functions of the job.

SPECIAL PERSONAL CHARACTERISTICS

Willingness to travel; impartiality; judicial temperament; ~~clear enunciation; and normal hearing~~ self-motivation; and tact.